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AUTOMATIC COVER SHEET

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DATE: AUG-21-2002 WED 05:48 PM

TO:

FAX #: 917038729306

FROM: MOLECULAR PROBES INC

FAX #: 15414658354

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**GROUP 1600** Molecular Probes, Inc.

www.probes.com

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## **FAX Transmission Sheet**

Date: 08/21/02  
From: Koren J. Anderson, Ph.D. (Judi Ubando)  
To: Examiner C. Maupin  
Organization: USPTO- Group Art Unit 1637  
Fax: 1-703-872-9306  
Subject: Serial No. 09/557,275

You should receive 45 pages including this cover sheet.

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Haugland and Yue

Serial No.: 09/557,275

Filed: April 24, 2000

For: AZA-BENZAZOLIUM  
CONTAINING CYANINE DYES

Examiner: C. Maupin

Group Art Unit: 1637

**TRANSMITTAL LETTER**

Assistant Commissioner for Patents  
U.S. Patent and Trademark Office  
Washington, D.C. 20231

Dear Sir:

Transmitted herewith are the following documents in the above-identified application.

- ☒ Response to Restriction Requirement
- ☒ Marked-up Version of the Claims
- ☒ Clean version of the Claims
- ☒ Fee Transmittal Form (PTO/SB/17)

In the unlikely event that the Fee Transmittal Form is separated from these transmitted documents the Assistant Commissioner is hereby authorized to charge the **Deposit Account 13-3900** for any fees due in connection with the filing of this

CERTIFICATE OF TRANSMISSION

I HEREBY CERTIFY THAT THIS PAPER AND THE DOCUMENTS REFERRED AS BEING ATTACHED OR ENCLOSED HEREWITH ARE  
BRING FACSIMILE TRANSMITTED TO THE UNITED STATES PATENT AND TRADEMARK OFFICE ON 8/21/02 TO  
1.703.872.9306 By [Signature]

document. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

In the event that the Patent Office determines that these documents were not timely filed the Applicants hereby petitions the Assistant Commissioner for an extension of time and hereby authorizes the above-identified Deposit Account to be charged the appropriate fee under CFR § 1.17(a) for such a petition.

Respectfully submitted,

Date: Aug. 21, 2002

Koren J. Anderson  
Koren J. Anderson, PhD  
Reg. No. 51,061

Molecular Probes, Inc.  
P.O. Box 22010  
Eugene, Oregon, 97402  
Phone: (541) 984-5656  
Facsimile: (541) 465- 8354

PTO/SB/17 (10-01)

Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL  
for FY 2002**

Patent fees are subject to annual revision.

**TOTAL AMOUNT OF PAYMENT** (\$) 1018.00**Complete if Known**

Application Number	09/557,275
Filing Date	04/24/2000
First Named Inventor	Richard P. Haugland
Examiner Name	C. Maupin
Group Art Unit	1637
Attorney Docket No.	

**METHOD OF PAYMENT**

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit  
Account  
Number

13-3900

Deposit  
Account  
Name

Molecular Probes, Inc.

- ☒
- Charge Any Additional Fee Required
- 
- Under 37 CFR 1.16 and 1.17

- ☒
- Applicant claims small entity status.
- 
- See 37 CFR 1.27

- 2.
- ☐
- Payment Enclosed:**

☐ Check ☐ Credit card ☐ Money  
Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
108	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	180	214	80	Provisional filing fee	

**SUBTOTAL (1)** (\$) **2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
74	-20** = 27	18.00	486.00
9	-3** = 3	84.00	252.00
Multiple Dependent		280.00	280.00

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
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103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)** (\$) 1018.00

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Fee Code	Large Entity (\$)	Small Entity (\$)	Fee Description	Fee Paid	
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify):

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$) **SUBMITTED BY**

Name (Print/Type) Koren J. Andersen, Ph.D.

Registration No. 51,061  
(Attorney/Agent)**Complete (if applicable)**

Telephone (541) 984-5656

Signature

Koren J. Andersen

Date

Aug. 21, 2002

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**Business Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231.  
Received from < 15414658354 > at 8/21/02 8:26:35 PM [Eastern Daylight Time] PROCESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

## PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Haugland and Yue )

Serial No.: 09/557,275 )

Filed: April 24, 2000 )

For: Aza-Benzazolum Containing  
Cyanine Dyes )

Examiner: C. Maupin

Group Art Unit: 1637

RESPONSE TO RESTRICTION  
REQUIREMENTAssistant Commissioner for Patents  
U.S. Patent and Trademark Office  
Washington, D.C. 20231

Dear Sir:

The following is in response to the Restriction Requirement mailed on July 22, 2002 and is hereby submitted on or before the due date of August 22, 2002. A Marked-Up Version of the Claims is also enclosed with a Clean Version of the Claims (See, Transmittal).

The Examiner is respectfully requested to make the following amendments and to reconsider the Restriction Requirement.

## CERTIFICATE OF TRANSMISSION

I HEREBY CERTIFY THAT THIS PAPER AND THE DOCUMENTS REFERRED AS BEING ATTACHED OR ENCLOSED HERewith ARE BEING FACSIMILE TRANSMITTED TO THE UNITED STATES PATENT AND TRADEMARK OFFICE ON 8/21/02 TO 1.703.872.9306  
By [Signature]

#5/Election  
w/ A  
masf  
9/5/02